

1 THOMAS G. GILMORE, ESQ.  
State Bar No. 91984  
2 LAW OFFICES OF THOMAS G. GILMORE  
3232 FOURTH AVENUE  
3 SAN DIEGO, CALIFORNIA 92103  
(619) 426-4444  
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5 Attorney for Material Witnesses  
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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10 (Honorable Barbara L. Major)

|                                  |   |                                  |
|----------------------------------|---|----------------------------------|
| 11 UNITED STATES OF AMERICA,     | ) | CASE NO. 08MJ1115 BLM            |
|                                  | ) |                                  |
|                                  | ) |                                  |
| 12                               | ) |                                  |
|                                  | ) | Plaintiff,                       |
| 13                               | ) | NOTICE OF MOTION; MOTION FOR     |
|                                  | ) | VIDEOTAPE DEPOSITION AND         |
| 14 vs.                           | ) | SUBSEQUENT VOLUNTARY DEPORTATION |
|                                  | ) | OF MATERIAL WITNESS; MEMORANDUM  |
| 15 Marco Antonio Contreras-Perez | ) | OF POINTS AND AUTHORITIES AND    |
|                                  | ) | DECLARATION OF THOMAS G. GILMORE |
| 16                               | ) | IN SUPPORT THEREOF               |
|                                  | ) |                                  |
|                                  | ) | DATE: May 20, 2008               |
| 17 Defendant.                    | ) | TIME: 9:00 am                    |
|                                  | ) | PLACE: Courtroom of Magistrate   |
| 18                               | ) | Barbara L. Major                 |

19 TO: UNITED STATES ATTORNEY; DEFENDANTS AND THEIR ATTORNEYS OF  
20 RECORD:

21 PLEASE TAKE NOTICE that on April 15, 2008 at 9:30 a.m. or as  
22 soon thereafter as the matter may be heard, material witnesses Ruben  
23 Lopez-Basulto, Juan Castillo-Vega and Giovanni Venancio-Nieves will  
24 move the Court for an Order that they be subjected to a videotape  
25 deposition prior to trial and subsequent voluntary deportation.

26 This motion will be based on 18 U.S.C. 3144 in that the  
27 witnesses testimony can be adequately secured by deposition and  
28 further detention is not necessary to prevent a failure of justice.

1 This motion is further based on this notice of motion, the  
2 memorandum of points and authorities and declaration of Thomas G.  
3 Gilmore filed herewith, and as such other and further evidence as  
4 may be presented at the hearing of the motion.

5 Respectfully submitted,

6 DATED: 4/29/08

/ss/Thomas G. Gilmore  
THOMAS G. GILMORE, Attorney for  
Material Witnesses